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Message Text

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PAGE 01 MTN GE 07422 231348Z

14
ACTION STR-04

INFO OCT-01 EUR-12 IO-13 ISO-00 STRE-00 FEA-01 AGR-05

CEA-01 CIAE-00 COME-00 DODE-00 EB-07 FRB-03 H-02

INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05

CIEP-01 SS-15 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02

OMB-01 /106 W
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FM USDEL MTN GENEVA
TO SECSTATE WASHDC 1894
INFO USMISSION EC BRUSSELS

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ACTION STR

E.O. 11652: N/A
TAGS: ETRD, MTN
SUBJECT: INITIAL INPUT FOR CUSTOMS MATTERS MEETING, OCTOBER 25, 1976

1. THE US SHOULD TAKE THE OPPORTUNITY OF THIS MEETING TO CONVEY TO THE EC AND OTHER PARTICIPANTS US WILLINGNESS TO INITIATE A SERIOUS WORK PROGRAM ON VALUATION AND TO SUGGEST NEGOTIATING APPROACHES FOR OTHER CUSTOMS MATTERS AREAS WHERE USEFUL WORK CAN BE ACHIEVED WITHIN THE TIME FRAME OF THE MTN. COMMENTS ON SPECIFIC CUSTOMS MATTERS TOPICS FOLLOW.

2. VALUATION: AS A RESULT OF THE EC'S CLARIFICATION OF ITS POSITION ON RECIPROCITY, THE UNITED STATES HAS INDICATED ITS WILLINGNESS TO ENGAGE IN A SERIOUS CUSTOMS VALUATION WORK PROGRAM. SINCE THE US INTERNAL ANALYSIS OF CUSTOMS VALUATION IS ONLY IN THE INITIAL STAGES, THE US
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PAGE 02 MTN GE 07422 231348Z

WILL NOT BE IN A POSITION TO BEGIN WORK AT THE UPCOMING

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

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MEETING. NONETHELESS, THE GATT SECRETARIAT'S DRAFT CHECKLIST OF DELEGATION POSITIONS ON VALUATION ISSUES CONTAINS SEVERAL MINOR VALUATION ISSUES WHICH THE US HAS NOT YET COMMENTED ON, BUT COULD DO SO WITHOUT COMPROMISING OUR EVENTUAL POSITION ON VALUATION. MOREOVER, ON SOME OF THESE MINOR ISSUES WHERE THE US HAS NOT STATED ANY POSITION, IT APPEARS THAT WE ARE OPPOSED TO CONCEPTS WITH WHICH WE AGREE, E.G. "QUICK CLEARANCE OF GOODS". ON SUCH ISSUES IT IS ADVANTAGEOUS TO THE US POSITION TO OFFER POSITIVE COMMENTS. AS A GENERAL PROPOSITION, MOREOVER, WE BELIEVE THIS KIND OF FORTHCOMING ATTITUDE IS IMPORTANT IN ORDER TO DEPRIVE THE EC OF AN ARGUMENT FOR BLOCKING OUR INITIATIVES ELSEWHERE AS RETALIATION FOR "US FOOTDRAGGING" ON THIS SUBJECT.

3. THE AUSTRALIAN DELEGATION HAS SUBMITTED COMMENTS ON THE GATT SECRETARIAT'S DRAFT WITH REGARD TO THE TREATMENT OF VARIABLE LEVIES IN RELATION TO CUSTOMS VALUATION (COPY OF THESE COMMENTS SENT AIRMAIL TO STR/KELLY). THE AUSTRALIANS DO NOT YET KNOW HOW OR IF THEY WILL PURSUE THESE COMMENTS IN THE OPEN MEETING. IF THEY DO PURSUE THESE COMMENTS, THE US SHOULD AGAIN VOICE ITS SUPPORT FOR THE BASIC AUSTRALIAN POSITION, BUT DO SO IN A PRO FORMA FASHION SO AS TO AVOID THE RISK OF BEING CAST IN THE ROLE OF AGGRESSOR AT THIS STAGE.

4. CUSTOMS DOCUMENTATION PROCEDURES AND CONSULAR FORMALITIES AND FEES: EVEN THOUGH THE VALUATION AWORK PROGRAM MAY NOW BE MOVING FORWARD, US MTN DEL STILL BELIEVES THAT WE SHOULD PROCEED WITH A WORK PROGRAM ON OTHER ISSUES COVERED BY THIS SUBGROUP, I.E., CUSTOMS DOCUMENTATION, PROCEDURES AND CONSULAR FORMALITIES AND FEES. THIS WORK PROGRAM, CONSISTING OF A NOTIFICATION/CONSULTATION PROCEDURE, IS DESCRIBED IN DETAIL IN A US MTN DEL PAPER CURRENTLY BEING CIRCULATED TO WASHINGTON AGENCIES. THE US MTN DEL BELIEVES THAT THE ADDITIONAL WORK PROGRAM WILL BALANCE THE PRESENT CUSTOMS MATTERS WORK PROGRAM, RESPOND TO A LEGITIMATE SERIES OF COMPLAINTS FROM PRIVATE SECTOR ADVISORS AND OFFER AN AREA WHERE THE US CAN OBTAIN CONTRIBUTIONS FROM DEVELOPING COUNTRIES.
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5. THE REPORT OF THE LAST CUSTOMS VALUATION MEETING (MTN 5450, PARA. 5) NOTED THAT FOR THE FIRST TIME DEVELOPING COUNTRIES HAVE RAISED THE ISSUE OF SPECIAL AND DIFFERENTIAL TREATMENT FOR LDC'S IN THE AREA OF CUSTOMS VALUATION. IN THE EVENT THAT THIS ISSUE IS RAISED AGAIN, THE US SHOULD HAVE A CONTINGENCY STATEMENT TO THE EFFECT THAT (A) S&D WOULD BE DIFFICULT TO ACHIEVE IN THIS AREA, BUT

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WE WOULD BE INTERESTED IN THE VIEWS OF INTERESTED LDC'S;

(B) NONETHELESS, S&D IS DIFFICULT TO DISCUSS WITHOUT KNOWING THE OUTLINES OF ANY NEW AGREEMENT ON VALUATION, BUT (C) AS A GENERAL OBSERVATION, S&D SHOULD NOT TAKE THE FORM OF DIFFERENT VALUATION CRITERIA FOR LDC'S.
WALKER

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Draft Date: 23 SEP 1976
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Margaret P. Grafeld
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EO Systematic Review
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